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ABSTRACT

This booklet, one in the Education Policy Institute series about teacher union issues, examines issues related to membership in the National Education Association (NEA) and American Federation of Teachers (AFT). Both unions aggressively strive to enroll more members or require teachers to pay agency fees. If teachers want to change union policy, the unions encourage them to participate in policy making. After a foreword, section 1 presents an overview of critical issues and examines many teachers' dissatisfaction with the NEA and/or AFT. Section 2 highlights the membership and participation option, which is the NEA/AFT response to dissatisfied teachers. The unions stress that dissatisfied teachers should participate in union policy-making processes in order to create change. Section 3 discusses delegate allocations, explaining that teachers must be elected to or achieve delegate status by virtue of their position, such as presidency of a state association. Section 4 presents the election process. Section 5 describes a delegate's term of office. Section 6 discusses financial assistance for convention delegates. Section 7 describes delegate responsibilities and opportunities at the representative assembly. Section 8 presents special interest NEA caucuses. Section 9 discusses the state dimension of policy making. Section 10 presents conclusions about union membership/participation or nonmembership. An appendix offers a listing of independent professional educator groups. (Contains 12 endnotes.) (SM)

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NEA/AFT Membership: The Critical Issues

Charlene K. Haar
and
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NEA/AFT Membership: The Critical Issues

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Foreword

This booklet is another in the Education Policy Institute series about teacher union issues. Although the private sector labor force has declined to less than ten percent, membership in unions of government employees is at an all-time high. The National Education Association enrolls 2.3 million members and membership in the American Federation of Teachers exceeds one million. Both teacher unions aggressively strive to enroll more members or require teachers to pay agency fees. As education employees contemplate whether or not to be members and pay annual dues, they may find the following analysis to be helpful in their deliberations.

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NEA/AFT Membership: The Critical Issues

This analysis is intended to assist anyone who is or may be asked to become a member of the National Education Association (NEA) or the American Federation of Teachers (AFT). It is thus addressed to tens of millions of current and future educational employees, mainly K-12 teachers, but also college faculty, support service personnel, health care workers, government employees, retirees, and students. The analysis attempts to answer this question: Should you be a member or a non-member of the NEA or AFT? Inasmuch as the answer suggested here is that it depends on the circumstances, the ultimate question raised is this: Under what circumstances should teachers choose to be members or non-members of the NEA or AFT?

The unions and their opponents offer sharply conflicting answers to this question, but let us try to answer it from the standpoint of the parties who must make the decision. For editorial simplicity, we shall refer to such parties as "teachers," even though their ranks include preschool and support personnel, college faculty, retirees, students, health care employees, government employees, other groups. Needless to say, the membership decisions of any one of these sub-groups may be affected by special factors that are not applicable to the other sub-groups.

It is hardly debatable that some teachers are dissatisfied with the NEA and/or AFT.

It is hardly debatable that some teachers are dissatisfied with the NEA and/or AFT for one reason or another. An incomplete list of the reasons includes the following:

- The unions have adopted non-educational objectives that weaken their focus, or on what should be their focus: improving education.
- The NEA/AFT social and economic agenda – radical feminism, gay/lesbian rights, ethnic quotas, abortion rights, multiculturalism, and nationalized health care – are among the most prominent features of this agenda.
- NEA/AFT support for strikes and other coercive tactics in labor disputes deemed objectionable.

- Affiliation with the AFL-CIO.
- Excessive salaries and fringe benefits for union officers and staff.
- The lack of leadership concern for rank and file union members.
- Control of unions by self-serving cliques of union officers and bureaucrats who are insulated against real accountability to the membership.
- Violations of the individual rights of teachers by forcing them to contribute financially to the unions against their wishes.
- Union opposition to educational reforms, such as school choice, that are viewed by many outside of the teacher unions as essential to improving education or the economic status of teachers.
- The de facto alliance between the NEA/AFT and the Democratic party, thereby undermining member support for bipartisanship in political affairs.

This analysis does not argue that teachers should be dissatisfied with the NEA/AFT, or should refuse to join them if they are dissatisfied. The arguments on these issues have been spelled out elsewhere and are neither accepted nor rejected here. It should be noted, however, that the NEA and AFT have agreed with some of the above criticisms or at least have accepted them as a reason to promote change in the union. For example, a study sponsored by the NEA included external interviews with NEA officers and staff, as well as analysis of press reporters, polling data, and data from focus groups of both members and nonmembers. The report concluded that the following perceptions about the NEA "have begun to stick":

- "NEA is a monolithic union that looks out for number one at everyone else's – including children's – expense.
- The NEA is the greatest obstacle to needed education reform.
- The NEA is a giant political arm or [of] the Democratic Party.

- The NEA has nothing new or positive to offer."[1]

The report did not say whether the perceptions were accurate, but the NEA has responded as if some of them were. Not surprisingly, NEA state affiliates have sometimes reached the same conclusions. Referring to its members, a 1998 report prepared by officers of the Kentucky Education Association asserted:

> Typical KEA members do not volunteer to assist the Association, nor do they have much contact with it…The current perception of KEA is that we are an organization far removed from the rank-and-file membership. Some perceive that a few elite, power-hungry leaders and management personnel sit in Frankfort in ivory towers making all the decisions. We are seen as uncaring toward the real problems of real teachers in real classrooms. Leaders and staff alike are seen as self-serving, disrespectful to one another, jealous, and sometimes resentful of one another.[2]

A 1998 report of the Kentucky Education Association asserted …Leaders and staff alike are seen as self-serving, disrespectful to one another, jealous, and sometimes resentful of one another."

In light of NEA's internal findings, the objective of this booklet is to help teachers think through the membership issues, regardless of whether their reasons (which are not confined to the ones listed above), are valid or not. For this reason, the analysis should also be helpful to teachers who are not dissatisfied with either union but may have occasion to be in the future. Needless to say, this group includes a very large proportion of classroom teachers.

For present purposes, we treat the above criticisms simply as allegations that are accepted by some teachers. We shall refer to dissatisfied teachers as being dissatisfied with "union policies", although the reasons may be different from those listed above. Furthermore, it must be emphasized that dissatisfaction with an organization is not necessarily grounds for withdrawing from it or refusing to join the organization. For example, it may be that by active participation, dissatisfied members can persuade the organization to adopt policies that reflect the views of the dissatisfied members.[3] Or because withdrawal from an organization may leave its re-

sources in the hands of officials who will utilize them for undesirable purposes, withdrawal may not be the most desirable option.

Assuming that the motive for non-membership is not simply to save the expenses of membership, what is the most effective way to change the union's policies? Is it to be a nonmember so as to deprive the union of the revenue and legitimacy associated with membership? Or is it to remain or become a member in order to change the union policies by participating in union affairs?

Perhaps the first issue is whether the objectionable policy is a local, state, or national one. If it is a local issue, the case for remaining in the union is much stronger, because the concerned teacher will have more and better opportunities to change the policies than if the objectionable policy is a state or national one. The very fact that members can be present at local meetings serves to ensure that the policies adopted by the local reflect local preferences, or at least are less likely to antagonize members. As we move from the local to the state and national levels, however, the reasons for dissatisfaction increase substantially. One reason is that state and national unions adopt positions on many issues that are not considered at the local level conventions.

Many rank and file members are surprised to discover that the union has adopted policies that are contrary to their wishes.

For example, the NEA has adopted more than 300 resolutions at its recent conventions. Inasmuch as most delegates to the NEA Representative Assembly (RA), the NEA's governing body, do not know nor care very much about most of the resolutions, most of the resolutions have been adopted after little or no debate. Understandably, many rank and file members are surprised to discover that the union has adopted policies that are contrary to their wishes. It should be emphasized, however, that the divergence between national policy and rank and file sentiment is not a uniquely teacher union problem. It characterizes virtually all large national unions and many large national membership organizations as well.

Prior to 1972, teachers could join the local, state, or national NEA without joining at the other levels. In 1972,

however, the NEA adopted "unified membership", that is, compulsory membership at all levels in order to be a member at any level. The AFT had always followed this membership policy, which is common practice among labor unions. In contrast, many teachers are members of independent unions that do not have a national organization affiliated with national labor bodies. Affiliation with a national teacher or labor organization is one of the reasons why some teachers do not join the NEA or AFT.

Actually, independent local and state teacher associations are alive and well in several states. In Missouri, Texas, and Georgia, the independent teacher organizations enroll more members than the state affiliates of the NEA or AFT. We shall come back to this independent option later, but it is important to recognize that membership or non-membership in the NEA or AFT are not the only options available to teachers dissatisfied with NEA/AFT policies.

The Membership and Participation Option

The NEA/AFT response to dissatisfied teachers can be summarized as follows.

> The union is a democratic organization in which you have as much opportunity as anyone else to help shape union policies. If you object to a union policy, you should participate in the union's policymaking process to change it. This is the democratic way to deal with your objections while simultaneously fulfilling your responsibility to support your professional organization.

How realistic is this response? To help answer this question, let us review how teachers can change NEA policies. This requires a brief review of how one becomes and serves as a delegate to the NEA's annual Representative Assembly, the NEA's highest policy making and governing body.[4] We shall then be in a better position to compare the membership to the non-membership option.

In order to be a delegate to the Representative Assembly, teachers must be active members of the association as of

January 15 of the calendar year in which the Representative Assembly convenes. There are no age or educational qualifications to be an NEA member. If a teacher is represented by an NEA affiliate, the teacher must be allowed to become a member of the local. However, because the NEA (and the AFT) require teachers to join at the state and national levels if they join at the local level, the only requirement to be an NEA member at any level is to be employed by a school district.

The preceding comments apply to most teachers, but a few clarifying comments may be helpful. If a local association is not the bargaining agent, it can set whatever standards for membership it wishes. This is the situation in states that have not enacted teacher bargaining statutes. Inasmuch as the local associations in these states represent only their members, they are free to adopt whatever membership requirements they wish. In practice, they tend to allow any school district employee to join, again bearing in mind that teachers cannot ordinarily join an NEA affiliate only at the local level.

The only requirement to be an NEA member at any level is to be employed by a school district ...this is a drastically different membership policy than prevails in professional organizations.

The preceding comments apply to job categories other than teachers. For example, if school custodians are represented by an NEA affiliate, they are eligible to join the NEA. If the NEA affiliate is not the bargaining agent, the affiliate can establish whatever membership requirements for custodians it deems appropriate. In practice, it will usually accept school district employment as the only requirement for membership. Some state and local associations exclude support personnel from membership, but the trend is for their full inclusion. Needless to say, this is a drastically different membership policy than prevails in professional organizations generally. The American Medical Association does not enroll everyone who works in a hospital, regardless of their occupation. The major reason for the difference is that the NEA is a union, and the membership requirements of unions are governed by labor laws, not the autonomous decisions of professional organizations.

Delegate Allocations

Eligibility to be a delegate is not enough to be a delegate. A teacher must be elected or achieve delegate status by virtue of his/her position, such as the presidency of a state association. Obviously, one's chances of being elected depends upon the number of delegates to be elected from your state or local association. In the NEA, representation in the Representative Assembly for the major membership categories is governed by the following rules and regulations:

- Local affiliates of the NEA are entitled to one delegate for every 150 members;
- No state shall be allocated fewer than 15 delegates;
- Delegates may be in proportion to the number of members in the following categories:
  a. Pre-K through secondary instructors,
  b. Educational support staff,
  c. Higher education faculty.
- Retired members of the association are entitled to elect one delegate to the RA for the first 50 retired members and an additional delegate for each 1,000 retired members thereafter.

No later than February 15th, NEA's executive director notifies each state and local affiliate (and other qualified organizations) of the number of delegates to which each is entitled.

Although local officers must be elected in order to serve as delegates to the RA, local associations generally elect local officers who wish to serve as delegates. In small locals, it would be difficult to compete against local officers who wish to be delegates. One's chances are much better in larger locals, especially if the delegates must pay all or some of their expenses.

Whenever one serves as a member of a group of delegates, there is a possibility that the delegates may be required by group decisions to support certain positions. For example, if a state association voted to oppose NEA/AFT merger, a convention delegate might be bound by state rules

not to take any action on the floor of the RA that was inconsistent with state policy. The point is that delegates are not necessarily free to take whatever positions they support merely because the NEA does not have any restrictions in this regard. An individual, however, is always free to speak as an individual, as opposed to speaking for the delegation.

The NEA seeks strong minority representation in the Representative Assembly. Prior to December 1, each state affiliate must submit to the NEA a plan to achieve state and local delegations that reflect its ethnic minority populations. Actually, the plan applies only to minorities, such as blacks and Hispanics, that are considered to be disadvantaged.

Election Process

The election process is straightforward. There is a secret ballot for each position with each membership group (K-12 teacher, education support personnel, higher education faculty, and so forth). Elections can be waived and the delegates declared elected if the number of delegate candidates is equal to or less than the number of positions to be filled. Under these circumstances, the chair must then call for open nominations, or the election may be challenged and voided.

Local bylaws prescribe the timing of elections to the Representative Assembly. Some states elect delegates at the state (or regional) conventions. A certain number of signatures may be required on a petition in order to qualify as a candidate to be a delegate. Teachers in local or state affiliates that require such petitions should initiate them as soon as they are allowed to do so.

Term of Office

Delegates are elected for a term not to exceed three years, and may be re-elected as long as the individual and affiliate continue to qualify for the delegate position. By April 15th, the local affiliate president (on a form provided by the NEA) forwards a certificate of eligibility for each local delegate, including the term for which the delegate was elected, to the state NEA affiliate. Successor delegates – those elected

to complete an unexpired term of a delegate who has resigned or died – serve for the remainder of the term of the delegate who is being replaced.

Financial Assistance

Only Kansas and Puerto Rico pay the expenses of all convention delegates.

The following chart indicates which states pay some delegate expenses (may be meal allowance, room allowance, travel allowance), officer expenses, and/or board expenses:[5]

State	Some Delegates	Officer expenses	Board Expenses
Alabama	Full	Full	No
Alaska	Full	Full	No
Arizona	950	Yes	No
Arkansas	Full	Full	No
California	Part	Full	Full
Colorado	Full	No	No
Connecticut	Full	Full	Yes
Delaware	Part	Full	No
Federal	Part	Part	Part
Florida	Part	Full	No
Georgia	Part	Yes	No
Hawaii	Part	Yes	No
Idaho	Full	Full	No
Illinois	Part	Full	Part
Indiana	Part	Full	No
Iowa	Part	Full except treasurer	No
Kansas	Full	Full	Full
Kentucky	Yes	President	No
Louisiana	Part	President/VP	No
Maine	Full	Full	No
Maryland	Full	Full	Full
Massachusetts	Part	No	No
Michigan	Yes	Yes	Yes
Minnesota	Part	Full	No
Mississippi	Yes	Yes	No
Missouri	Yes	Full	Yes
Montana	Full	Full	No

Nebraska	Yes	Yes	Yes
Nevada	Part	No	No
New Hampshire	Full	Full	No
New Jersey	Full	Full	Full
New Mexico	No	Full	No
New York	Part	Part	No
North Carolina	Part	Full	Part
North Dakota	Full	Full	Full
Ohio	Part	Yes	Yes
Oklahoma	Full	Full	Full
Oregon	Full	Full	No
Pennsylvania	Full	Full	Full
Puerto Rico	Part	Full	No
Rhode Island	Full	No	No
South Carolina	Full	President	No
South Dakota	Full	No	No
Tennessee	Yes	Yes	Yes
Texas	No	Full	No
Utah	Yes	Yes	Yes
Vermont	No	Yes	Part
Virginia	No	Full	Full
Washington	Part	Yes	No
West Virginia	Full	Full	No
Wisconsin	Full	No	No
Wyoming	Part	President/VP/treasurer	No

Delegate Responsibilities and Opportunities at the Representative Assembly

A teacher who wants to change an NEA policy must act in several ways to effectuate the change.

A teacher who wants to change an NEA policy must act in several ways to effectuate the change that is sought. The change may require an addition or deletion from the NEA budget; support or opposition to the election of candidates for NEA office; initiation of NEA resolutions, or deletions or amendments to existing resolutions; investigations of specific events of conditions, and so forth. In many cases, a desired change

requires action on several fronts before, during, and after several RA meetings.

The following summary shows the delegate responsibilities that might also be opportunities for initiating change in the NEA:

1. Attend general sessions; vote to establish NEA policies and objectives;
2. Elect the NEA president and vice-president for a three-year term (two-term maximum) that begins September 1 following their election;
3. Elect the NEA secretary-treasurer for a three year term (two-term maximum), that begins September 1 following the election;
4. Elect the at-large members of the board of directors, and the members of the executive committee;
5. Adopt the budget;
6. Establish dues;
7. Approve or ratify the establishment of subsidiary corporate structures;
8. Amend the NEA Constitution and Bylaws;
9. Adopt the rules and agenda governing Representative Assemblies; and
10. Enact other measures consistent with the NEA governance documents.

By using parliamentary procedures and convention rules, each delegate may speak as an individual (as opposed to speaking for the state delegation or caucus delegation) to the agenda issue under discussion. In practice, however, most policy matters are discussed in several different forums before they reach the floor of the RA. First, they may be taken up prior to the RA at meetings of the state and local associations. Delegates interested in changing NEA policies are usually interested in presentations to the RA's Resolutions Committee in March. Such presentations may also be made prior to the annual convention or at open meetings of the committee during the convention.

Adopted resolutions represent the official position of

the NEA and are the basis for its legislative agenda. In view of the fact that the NEA has adopted more than 300 resolutions in recent years, membership on the Resolutions Committee is obviously an arduous task. Members may amend or delete portions of existing resolutions, or introduce new resolutions through the Resolutions Committee no later than February 15 for consideration at a winter meeting (March) and prior to the annual RA. One open meeting held during the RA includes a deadline for submitting revisions to the report by the Resolutions Committee to the RA.

All existing resolutions to which changes are proposed, or newly proposed resolutions which come through the Resolutions Committee, may be considered separately for discussion by all delegates on the floor of the RA, but are voted on en masse. To submit a proposed resolution from the floor, the maker and seconder must sign the appropriate forms; a majority of the RA delegates must then agree to place the proposed resolution on the agenda; a two-thirds vote is necessary to pass any resolution submitted from the floor.

Each year, all previously adopted resolutions with no changes, resolutions with amendments and/or deletions, and newly adopted resolutions are published in *NEA Today* and in the *NEA Handbook*. Upon publication, the date of initial adoption is included in parentheses at the end of each resolution followed by the year of any changes.

Special Interest NEA Caucuses

The vast majority of delegates to the RA represent either the teachers in a particular school district or a state association. Nevertheless, most teachers have interests that transcend their local or state organization. Teachers in urban school districts have common interests with teachers in urban districts outside their state. Teachers of particular subjects share common interests and concerns with teachers of the same subject elsewhere in the country. In the NEA, these special interests are addressed through caucuses. A caucus may be defined as a group of members who have established an organization within the NEA structure to articulate and promote their views.

In 1998-99 the following special interest caucuses were listed in the *NEA Handbook*:[6]

1. Abortion Neutrality Caucus
2. Administrators Caucus
3. Adoptive Parents Caucus
4. Adult Education Caucus
5. American Indian/Alaska Native Caucus
6. Americans with Disabilities
7. Asian-Pacific Islander Caucus
8. Black Caucus
9. Campers Caucus
10. Counselors Caucus
11. Democratic Caucus
12. Early Childhood Educators Caucus
13. Educational Support Personnel Caucus
14. Educators for Life Caucus
15. Educators of Exceptional Children Caucus
16. Fine Arts Caucus
17. Gay and Lesbian Educators Caucus
18. Greek/American/Syrian Caucus
19. Green Earth Caucus
20. "Hands Across the Water"
21. Hispanic Caucus
22. Irish American Caucus
23. Italian-American Caucus
24. Jewish Affairs Caucus
25. Library/Information/Technology Caucus
26. Men's Caucus
27. On-Line Caucus
28. Peace and Justice Caucus
29. Physical Education Caucus
30. Physically Challenged Caucus
31. Republican Educators Caucus
32. Rural and Suburban Caucus for Small Schools
33. School Nurses Caucus

34. School Restructuring Caucus
35. States Without a Bargaining Law Caucus
36. Substitute Teachers Caucus
37. Vocational Educators Caucus
38. Women's Caucus
39. Year-Round Schools Caucus

If a caucus takes a position on issues scheduled to come before the Representative Assembly, the chairman of the caucus is entitled to speak on behalf of the caucus in support or opposition to the item. Generally speaking, the caucus meetings are held during the lunch break on each day the RA meets. Caucus dues vary but are quite low and typically include voting rights and a newsletter. All officially recognized caucuses must be open to all NEA members. Although the caucuses can take up anything they wish to consider, most caucus time is devoted to discussions of NEA resolutions, including any sponsored by the caucus, and endorsing candidates for NEA office.

The Gay and Lesbian Educators Caucus has become so influential that candidates for NEA executive office are unlikely to be elected without the caucus endorsement.

As we might expect, the caucuses differ widely with respect to their membership and influence within the NEA. For example, the Gay and Lesbian Educators Caucus has become so influential that candidates for NEA executive office are unlikely to be elected without the caucus endorsement. Furthermore, the caucus has been instrumental in expanding NEA resolutions and programs to support caucus curriculum objectives. In contrast, the Educators for Life caucus is largely the effort of one or two dedicated individuals and a handful of supporters.

The State Dimension

Influential delegates to national political conventions have usually participated in several state conventions. The same is true of influential delegates to NEA conventions; their national influence often depends upon their state roles and relationships. The latter are especially important in the NEA because state delegations usually meet each day during the six-day convention during prescribed times and locations.

Meetings usually begin by 7 a.m. and must conclude by 9 a.m., in time for delegates to be present when the Representative Assembly opens for business.

The state meetings serve as caucuses where issues are discussed, candidates interviewed and endorsed, policies adopted, and strategy and tactics agreed upon. Significantly, delegates are housed and seated at the RA by states, considerations that further underscore the importance of the state delegation role at the RA.

Membership/Participation or Non-Membership: Summary and Conclusions

In showing what NEA members must do to change NEA policies, the preceding discussion was incomplete in several ways. Some of the omissions magnify the obstacles to change. For instance, the discussion proceeded as if a single delegate with no support set out to change NEA policy. The reality is that on most issues, delegates seeking change can find some supportive delegates in his/her state delegation and one or more NEA caucuses. Furthermore, delegates who come to the RA determined to effectuate a change in NEA policy seldom do so without any pre-convention discussion with supportive delegates at local, state, and/or regional caucuses. Of course, a great deal depends on the specific change that is sought. It would be much easier to persuade the RA to condemn Saddam Hussein's refusal to cooperate with the United Nations than to condemn President Clinton's refusal to cooperate with the House Judiciary Committee on impeachment matters.

Everything considered, however, the analysis has understated the obstacles to change. Changes in the NEA's social agenda would encounter the opposition of NEA officers, powerful caucuses, and interests that support the agenda. Delegates concerned about the NEA's overwhelming tilt toward the Democratic party must face the fact that the NEA's Republican Caucus has never enrolled more than a handful of NEA members or made an effort to function on the floor of the RA. In 1998, the Republican Caucus enrolled fewer than 150 members, and many caucus members were more interested in promoting NEA objectives in the Republican

party than advancing Republican objectives in the NEA. Furthermore, the discussion has vastly understated the time required to effectuate changes in national NEA policy. For instance, the discussion has noted the importance of prior service at the state level, but it did not point out that state level governing bodies typically meet four to eight times a year, and often require review of several reports and position papers.

As a matter of fact, the discussion has also understated the obstacles to effectuating change at the local level. These obstacles are by no means limited to the time required to persuade local members to agree to a change. In many school districts, the union has the exclusive right to post notices on school bulletin boards, use the district mail system, or hold meetings in the schools. Dissident members of the union do not, or may not, enjoy these rights. Where this is the case, and it is frequently, critics of union policy have an extremely difficult time communicating with their fellow members. In large locals, opponents of union leadership may be deprived of access to union mailing lists. When denial of access is combined with a prohibition against political advertising in union publications (as it is in the United Federation of Teachers, the AFT affiliate in New York City), critics of union policy at the local level find it virtually impossible to change local policy. Furthermore, even when union members are not so restricted in their local, the possibility that like-minded individuals in other locals will be so restricted in their locals must be taken into account.

In thinking about the possibilities of changing NEA/AFT policies through membership/participation, teachers must answer some practical questions. How many union meetings, and state and national conventions can I attend, even if the union will pay all or some of my expenses? If I do attend multiple meetings and conventions, what are the chances that I will be able to identify and team-up with like-minded individuals to achieve our objectives in the union? Who will support the communications process between and during the conventions? How will turnover affect the cohesiveness of my support group? How can I be sure that I will be in a position to attend and participate in these conven-

tions year after year, to gain the experience and background required to be an effective delegate?

Considered realistically, the membership/participation option requires substantial expenditures of time and resources that most teachers simply cannot afford. Indeed, teachers who can afford the time and resources may have perfectly good reasons not to choose this option. For example, they may believe that they could do much more to advance their educational and political objectives by participating in a political party or religious organization. And clearly, one could hardly criticize a teacher who gave his/her family responsibilities a higher priority than efforts to change union policies.

The larger the organization, the more unrealistic the advice to participate. Anyone who attends state and national NEA conventions will recognize at once how much the business of the conventions is in the hands of activists for whom union affairs are a way of life. The fact is, however, that compared to the AFT, the NEA is an open organization. AFT conventions are completely controlled by full-time union leaders who resolve their differences privately. For at least 25 years, no candidate or significant policy position has prevailed in the AFT against the opposition of the United Federation of Teachers, the New York City local that enrolls about one-ninth of the AFT's total membership. The New York State United Teachers (NYSUT) enrolls almost a third of AFT's total membership. Both the UFT and NYSUT cast unanimous ballots on matters of importance. Union rhetoric notwithstanding, any AFT member who wants to adopt a policy or elect a candidate opposed by the UFT/NYSUT has no realistic chance to succeed.

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In order to affect union policies by participating in union affairs, a teacher must ordinarily persuade others to act in unison on the issues at stake. In contrast, refusal to be a member enables a teacher to exert influence regardless of what others do. This is certainly a strong argument for the non-membership option. To be sure, there may be personal disadvantages to the non-membership option. Although the

union is legally obligated to process nonmember grievances just as vigorously as it would for union members, there is often concern that this will not be the case. The union is allowed some discretion in deciding which grievances it will support. Although it cannot legally refuse to process a grievance simply because the grievant is a non-member, the fear exists that it may do so on the basis of a fictitious reason.

In some states, union sponsored insurance policies that teachers buy provide teacher protection against various contingencies, such as lawsuits alleging teacher negligence or sexual harassment.[7] It is unlikely that insurance benefits open to union members only would affect many membership decisions, but they are a factor in some situations. Note also that nonmembers do not have the right to participate in union discussions on negotiating goals, or vote on whether to ratify a proposed contract. It is safe to say, however, that in most districts, the outcomes would be the same even if the nonmembers were members. Most union members do not participate in negotiating matters precisely because their participation would not affect the outcome. The union's negotiating committee, which usually includes one or more elected officers, makes the important decisions on negotiating matters. Occasionally, most often when the negotiating team is divided, a matter is referred to the rank and file, but a member's vote rarely, if ever, makes a difference in the eventual outcome.

Collective bargaining tends to exaggerate the union's importance in achieving benefits.

One reason that the importance of union membership is overstated is that collective bargaining tends to exaggerate the union's importance in achieving benefits. Even in the absence of a union, employers must pay enough to attract and keep needed employees. In the non-union situation, compensation is increased without any union present to claim the credit. With unionization, however, the dynamics change. Employees are employed pursuant to collective agreements that expire on a certain day. The union bargains for benefits that would or might have been introduced incrementally in a non-union enterprise. The union, however, must claim that its efforts, not competitive markets or em-

ployer policy, are responsible for the benefits. Media feed the misperception. Headlines announce that the union has won this or that benefit and has elected not to strike as a result. Meanwhile, no publicity is accorded the non-union enterprise that provides the same benefits without the same publicity.

Although collective bargaining tends to exaggerate the union influence in achieving teacher benefits, teacher unions have sometimes achieved teacher benefits sooner than would otherwise have been the case. The extent to which this has happened, is happening, and will happen are highly controversial issues, partly because the answer varies a great deal from time to time and place to place. It should be noted, however, that collective bargaining and teacher unions emerged at the beginning of the inflationary surge resulting from U.S. military involvement in Southeast Asia. The upshot was that substantial increases in teacher compensation due to inflation were erroneously attributed to the efforts of the teacher unions.[5] When the costs of union dues are factored in, we have to conclude that union membership has not, and/or does not, result in net economic benefits for many union members.

The NEA and AFT are producers of [representation] services. The teacher decision on whether to buy the services depends on their total costs and benefits.

In any case, there are very few situations, if any, where decisions not to join the NEA or AFT, whether made by individuals or by groups of teachers, would have a significant impact upon teacher compensation. Whether or not true in the past, this conclusion is true today. And even if one concludes that the union influence on teacher compensation is very important, it is only one factor to be considered in deciding whether to be an NEA/AFT member; supporting a different kind of union is an option that merits consideration.

Perhaps the best way for teachers to approach the membership issue is to think of themselves as consumers/purchasers of representation services. The NEA and AFT are producers and vendors of such services. The teacher decision on whether to buy the services depends on their total costs and benefits, not just to the teacher, but to all the parties affected by union policies. If the teacher is dissatisfied with a

union policy, the costs of changing it include the dues and the resources, including the time to be devoted to changing the undesirable policies, while the likelihood of the desired change will usually be very low. The membership/participation option to change union policies may have some merit when the change is at the local level, but it is highly unrealistic when a change in national or state policy is the issue.

As noted earlier, the alternatives are not just membership or non-membership in the NEA or AFT. They also include membership and participation in other teacher organizations that seek to represent teachers on terms and conditions of employment. In Missouri, Texas, and Georgia, independent teacher organizations not affiliated with the NEA or AFT enroll more members than either the NEA or AFT affiliates. In several other states, independent teacher organizations enroll a significant number of teachers. They are, however, less successful in states where teachers are or may be required to pay agency fees to the teacher unions.[9]

Many teachers are considering efforts to replace the NEA/AFT affiliate with an independent teacher union as the bargaining agent.

Teachers required to pay agency fees must support decertification of the NEA/AFT affiliate as the bargaining agent in order to avoid being forced to contribute to the NEA/AFT.[10] This is a strong reason to oppose agency fees. No matter what the teachers' objections, they are forced to contribute an amount equal or close to dues to the state and national as well as to the local NEA/AFT affiliate. In these situations especially, many teachers are considering efforts to replace the NEA/AFT affiliate with an independent teacher union as the bargaining agent. This will often be the only practical option for dissatisfied teachers.

Teachers in independent teacher unions are not affiliated with any national organization as individual members. Services that cannot be provided by the local union are purchased as needed, not supported year in and year out by membership dues in a national organization. In this way, the teachers avoid the problems associated with the NEA/AFT social and political agendas and their huge, highly paid bureaucracies. In short, the remedy for teacher dissatisfaction is a different kind of union that can be achieved by efforts at the

local level. There is no need to become active at the state and national levels to establish or change the policies of an independent teacher union.

Of course, it will often be impractical for teachers to devote the time and resources needed to establish or change the policies of a local union. After all, some local unions, such as the United Federation of Teachers in New York City, enroll several times as many teachers as there are in Alaska, Hawaii, Delaware, Rhode Island, Wyoming, and other sparsely populated states. This fact underscores the point that the nonmembership option is the only practical way for most teachers to influence union policies. It is fallacious to think that the only way or the most effective way to influence union policy is to be a member and "participate." Withdrawal from membership often has as much or more influence on union policies than "participation" in union affairs.[11]

If NEA/AFT members were better informed about matters that are not disclosed to the rank and file, a significant loss of union membership would be the most likely outcome.

To summarize, every teacher must decide for himself or herself what union policies, if any, are grounds for non-membership. Undoubtedly, some reasons are difficult to justify, and some teachers simply prefer not to pay union dues, whatever the arguments for membership. Although these things are true, they are only part of the story. Like other organizations, the NEA/AFT try to control the information going to their members. In this connection, NEA/AFT publications do not publish information that might lead to member dissatisfaction with the union or union officers. The upshot is that the vast majority of NEA/AFT members are not exposed to a great deal of information that would support a decision to withdraw from the union.[12]

For example, NEA and AFT members are not entitled to know the cost of fringe benefits for individual union officers and staff. The very fact that the unions will not release this information to their members suggests that the amounts would lead to disaffection in the ranks. Unfortunately, no organization disseminates the information that union publications conceal from their members. If NEA/AFT members were better informed about matters that are not disclosed to

the rank and file, a significant loss of union membership would be the most likely outcome.

Practically speaking, nonmembership is the only practical option to change union policies. This should not be a surprise; refusing to buy a service or buying the service from a different provider is the commonly accepted way of expressing dissatisfaction with a service provider in a free society. When you are seriously dissatisfied with the services of your doctor or lawyer or accountant, you change your service provider. Similarly, if you are dissatisfied with an organization that provides services, whether it be a religious organization, an automobile club, or an insurance company, you change providers or decline to buy the services at all. The principle should be no different with respect to the services provided by unions. Employees should have the right to change their representative or, if they so choose, go without representational services. Unfortunately, where teachers are required to pay agency fees, they do not have the option of withdrawing their support from an unwanted provider.

Nonmembership in the NEA/AFT is the only practical way for most teachers to express their criticisms of union policy.

Again, it is not argued or assumed that every item of dissatisfaction is grounds for refusal to buy union services. Most of us continue to support service providers despite some dissatisfaction with one or more aspects of the service. There comes a point, however, where dissatisfaction raises serious questions about continued support. In such cases, the membership/participation option to achieve the desired reform is an unrealistic one for the overwhelming majority of teachers. Nonmembership in the NEA/AFT is the only practical way for most teachers to express their criticisms of union policy or change it.

Appendix A
Independent Professional Educator Groups

The NEA and AFT do not represent all teachers. In fact, independent organizations enroll about 300,000 members. Some but not all of these independent organizations are members of the Coalition of Independent Education Associations (CIEA), which meets twice a year.

The following is a list of state independent teacher organizations and their E-mail addresses and web sites, where available. Local affiliates are not included in this list. The Education Policy Institute is providing this information as a service to teachers and others who may be interested in these organizations. The fact that they are listed here does not imply that they support EPI or that they are in any way associated with EPI or with each other.

Arizona Professional Educators
Mr. David Smith
1424 S. Stapley Drive
Suite 215
Mesa, Arizona 85204
(888) 834-5182 (state)
(602) 503-2737 (local)
(602) 503-2830 (fax)

Arkansas Association of Professional Educators
Mr. Donald L. Turney
P.O. Box 215
Sheridan, Arkansas 72150

Arkansas Christian Educators Association
Jim Parsons
707 Turtle Creek Drive
Rogers, Arkansas 72756
(501) 631-7347
E-Mail: aceajody@advantage.rogersark.net

Professional Educators Group of California
Ms. Diana Foster, President
159 Amber Way
Livermore, California 94550
(510) 443-7365 (voice)
(510) 443-7366 (fax)

The Professional Educators Network (PEN) of Florida, Inc.
Mrs. Catherine de Moisey
P.O. Box 7277
Jacksonville, Florida 32238
(800) 311-7770 (state)
(904) 778-7405 (local)
(904) 771-0307 (fax)
Web site: http://www.jaxnet.com/~cdem

Professional Association of Georgia Educators
Dr. Barbara Christmas, Executive Vice President
P.O. Box 942270
Atlanta, Georgia 31141-2270
(800) 334-6861 (state)
(770) 216-8555 (local)
(770) 216-8589 (fax)
Web site: http://www.pageinc.org
E-mail: bchristmas@mindspring.com

Independent Educators of Idaho
Mr. Don Goerg
432 8th Street
Idaho Falls, Idaho 83401
(208) 745-7613

Professional Educators of Illinois
1453 Norman Drive
Palatine, Illinois 60067

Indiana Professional Educators
Ms. Jane Ping
6919 East 10th Street, Suite B-4
Indianapolis, Indiana 46219
(317) 356-2878

Professional Educators of Iowa
Mr. Jim Hawkins
212 Delaware Street
Norwalk, Iowa 50211
(515) 981-9875
E-mail: Hawkjj@msn.com

Professional Educators Association of Kansas
Mr. Fred W. Schultz
Route 3, Box 236
Baldwin, Kansas 66006

Kentucky Association of Professional Educators
Ms. Ruth Green
765 Zandale Drive
Lexington, Kentucky 40502
(606) 278-7016 (voice and fax)
E-Mail: kape@juno.com

Associated Professional Educators of Louisiana
Mrs. Polly Broussard
7912 Summa Avenue
Baton Rouge, Louisiana 70898
(800) 364-2735 (state)
(504) 469-4505 (local)
(504) 766-5063 (fax)

Independent Association of Minnesota Educators
Mr. Ben Thompson
411 North Payne
New Ulm, Minnesota 56073
(800) 324-8174

Mississippi Professional Educators
Mrs. Linda Anglin
P.O. Box 22550
Jackson, Mississippi 39225-2550
(800) 523-0269 (voice and fax)

Missouri State Teachers Association
Mr. Kent King
P.O. Box 458
Columbia, Missouri 65205-0458
(314) 442-3127 (voice)
(314) 443-5079 (fax)
E-mail: kent_king@mail.msta.org

Professional Educators of North Carolina
Amy van Oostrum
5029 Falls of Neuse Road, Suite 214
Raleigh, North Carolina 27609
(919) 874-0520 (voice)
(919) 874-0507 (fax)

Ohio Professional Teachers Association
Mr. Richard Wingerter
6969 Stonecreek Avenue, N.E.
North Canton, Ohio 44721-3924
(330) 492-1687 (voice)

Association of Professional Oklahoma Educators
Mrs. Ginger Tinney
420 Cripple Creek Drive
Norman, Oklahoma 73071
(405) 321-0307
E-mail: apoe@brightok.net

Keystone State Teachers Association
Mr. Randy Hoffman
658 Lynes Road
Dillsburg, Pennsylvania 17019
(717) 432-5185 (voice)
(717) 697-0509 (fax)
E-Mail: keyta:@compuserve.com

Palmetto State Teachers Association
Ms. Elizabeth Gressette, Executive Director
2010 Gadsden Street
Columbia, South Carolina 29201
(803) 256-2065 (voice)
(803) 779-2839 (fax)

E-Mail: psta@sconline.net

Professional Educators of Tennessee
Mr. Walter Jewell
1116 West 7th Street, Suite 234
Columbia, Tennessee 38401
(800) 471-4867 (voice)
Web Site: http://www.teacherspet.com
E-Mail: walter@teacherspet.com

Association of Texas Professional Educators
Mr. Doug Rogers, Executive Director
505 East Huntland Drive, Suite 250
Austin, Texas 78752-3792
(512) 467-0071 (voice)
(512) 467-2203 (fax)
Web Site: http://www.atpe.org
E-mail: exec_dir@atpe.org

Utah Coalition for Freedom in Education
Mrs. Ruth Lehenbauer
P. O. Box 303
Logan, Utah 84321

Roanoke Professional Educators
3601 Ferncliff Avenue, NW
Roanoke, Virginia 24019

West Virginia Professional Educators
Mr. Ernest Page, Jr.
Route 1, Box 25-B
Red House, West Virginia 25168
(304) 586-3451
E-mail: wvpe@aol.com

The following groups support the efforts of the independent state and local organizations:

Association of American Educators
Mr. Gary Becker
26012 Marguerite Parkway, Box 333
Mission Viejo, California 92691
(714) 457-6359 (voice)

(714) 457-6361 (fax)
Web Site: http://www.aaeteachers.org

Association of Educators in Private Practice
Ms. Chris Yelich
N7425 Switzke Road
Watertown, Wisconsin 53094
(800) 252-3280 (voice)
(414) 699-8280 (fax)
E-mail: yelichris@aol.com or aepp@execte.com

Christian Educators Association International
Mrs. Judy Turpen
P.O. Box 50025
Pasadena, California 91105

Concerned Educators Against Forced Unionism
Ms. Cathy Jones
8001 Braddock Road
Springfield, Virginia 22160
(703) 321-8519 (voice)
E-mail: clj@nrtw.org

National Association of Professional Educators
Dr. Bill and Ann Crockett
P.O. Box 536
Katy, Texas 77492
(713) 392-3295

Endnotes

1. The Kamber Group, "An Institution at Risk: An External Communications Review of the National Education Association," January 14, 1997, p. 31.
2. This report was accepted by the Kentucky Education Association's board of directors as the rationale for an internal reorganization that would take effect on or about July 1, 2001. *EIA Communique*, Michael Antonucci, November 23, 1998, p. 2.
3. See Albert O. Hirschman, *Exit, Voice, and Loyalty* (Cambridge: Harvard University Press, 1970).
4. NEA governance documents relating to the delegate selection process and related issues are found in the *NEA Handbook 1997-98* as follows: Article III of the NEA Constitution, pp. 176-179; NEA Bylaws 3, pp. 194-196; NEA Standing Rules 2,5,6, and 8 pp. 214-224; NEA Committees, pp. 28-29; and NEA Organizational Structure Chart, p. 11.
5. "Profiles of the State Associations 1995-96," A cooperative project of the National Education Association and the National Council of State Education Associations, p. 9.
6. "Caucuses of NEA Members," *NEA Handbook 1997-98*, pp. 414-417.
7. Many teachers enjoy liability insurance paid for by their school districts. Low cost liability insurance for teachers can be purchased from the American Association of Educators, 26012 Marguerite Parkway, Mission Viejo, CA 92692; Tel 949/595-7979; Fax 949/595-7970; Toll-free 800/704-7799.
8. For a discussion of the impact of teacher unions on teacher benefits, see Myron Lieberman, *The Teacher Unions* (New York: The Free Press, 1997), pp. 207-217; and Dale Ballou and Michael Podgursky, *Teacher Pay and Teacher Quality* (Kalamazoo, Michigan: W.E. Upjohn Institute for Employment Research, 1997).
9. Myron Lieberman., *The Teacher Unions* (New York: The Free Press, 1997), pp. 259-262.

[10] See Myron Lieberman, "Agency Fees: How Fair are 'Fair Share' Fees?" Education Policy Institute, Series on the Teacher Unions, 1999.

[11] For an extended discussion of local only teacher unions, see Lieberman, *The Teacher Unions*, pp. 253-257.

[12] For example, see Myron Lieberman and Charlene K. Haar, "The Great Rhode Island Ripoff," *Government Union Review*, Vol. 16, No. 2, Spring 1995.

Notes

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